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OFFICE OF PETITIONS

In re Application of
Juliane Kluge, et al
Application No. 10/593,986
Filed: September 25, 2008
Attorney Docket No. UMICORE 0175-US

ON PETITION

This is a decision on the petition, filed March 8, 2010, under 37 CFR 1.182 requesting the withdrawal of previously filed terminal disclaimer. The petition fee has been received.

The petition is dismissed.

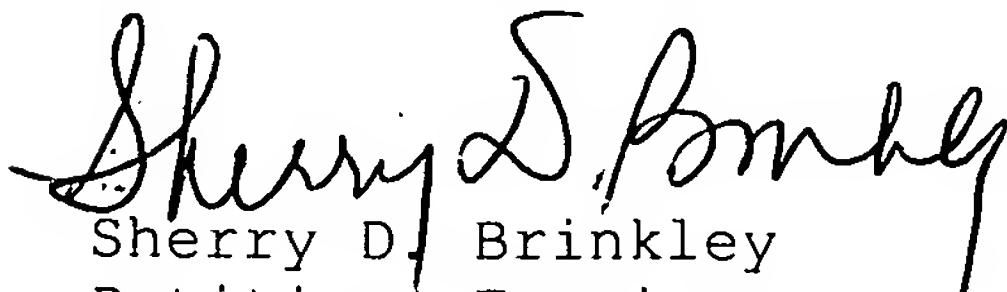
Petitioner argues that the Terminal Disclaimer filed on August 17, 2009 in this application is not necessary since the features of claim 14 remain in the currently amended claims. Petitioner explains that in response to the Examiner's double patenting rejection of claims 1-11 as they relate to Patent No. 6,858,193, a Terminal Disclaimer was filed and the claims were amended to include the features of claim 14 "coating to an inert honeycomb made of ceramic or metal".

Petitioner's argument is not well taken. According to the examiner, double patenting would exist between the claims of this application and U.S. Patent 6,858,193 if the Terminal Disclaimer were withdrawn.

In view of the above, the request cannot be favorably considered.

The application is being referred to Technology Center Art Unit 1793 for further processing consistent with this decision.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3204. Inquiries relating to further prosecution should be directed to the Technology Center.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions